

REFERENCE TITLE: indoor tanning; minors; restricted use

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

HB 2084

Introduced by
Representative Carter

AN ACT

AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 15; RELATING TO PUBLIC HEALTH.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 6, Arizona Revised Statutes, is
3 amended by adding article 15, to read:

4 ARTICLE 15. INDOOR TANNING

5 36-799. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "TANNING DEVICE":

8 (a) MEANS ANY EQUIPMENT THAT EMITS RADIATION USED FOR TANNING OF
9 THE SKIN.

10 (b) INCLUDES SUNLAMP, TANNING BOOTH OR TANNING BED THAT EMITS
11 ULTRAVIOLET RADIATION, AND ANY ACCOMPANYING EQUIPMENT, INCLUDING
12 PROTECTIVE EYEWEAR, TIMERS AND HANDRAILS.

13 (c) DOES NOT INCLUDE A PHOTOTHERAPY DEVICE USED IN THE TREATMENT OF
14 DISEASE OR INJURY UNDER THE DIRECT OR INDIRECT SUPERVISION OF A PHYSICIAN
15 WHO IS LICENSED IN THIS STATE.

16 2. "TANNING FACILITY" MEANS ANY PLACE WHERE A TANNING DEVICE IS
17 USED.

18 3. "ULTRAVIOLET RADIATION" MEANS ELECTROMAGNETIC RADIATION WITH
19 WAVELENGTHS BETWEEN TWO HUNDRED AND FOUR HUNDRED NANOMETERS.

20 36-799.01. Tanning facilities; restricted use for minors;
21 signage; use of device in private residence

22 A. A PERSON WHO USES THE SERVICES OF A TANNING FACILITY SHALL
23 PRESENT PHOTO IDENTIFICATION ISSUED BY THE UNITED STATES GOVERNMENT OR A
24 STATE OR TRIBAL GOVERNMENT TO PROVE THAT THE PERSON IS AT LEAST EIGHTEEN
25 YEARS OF AGE.

26 B. AN OPERATOR OR EMPLOYEE OF A TANNING FACILITY MAY NOT ALLOW A
27 PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE TO USE A TANNING DEVICE.

28 C. A TANNING FACILITY SHALL POST IN A CONSPICUOUS LOCATION IN THE
29 TANNING FACILITY A SIGN STATING THAT IT IS UNLAWFUL FOR A TANNING FACILITY
30 OPERATOR OR EMPLOYEE TO ALLOW A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE
31 TO USE ANY TANNING DEVICE.

32 D. THIS ARTICLE DOES NOT PREVENT OR RESTRICT AN INDIVIDUAL FROM
33 USING A TANNING DEVICE FOR PERSONAL USE IN THE INDIVIDUAL'S PRIVATE
34 RESIDENCE.

35 36-799.02. Recordkeeping

36 A TANNING FACILITY SHALL MAINTAIN A RECORD OF EACH CUSTOMER WHO USES
37 A TANNING DEVICE FOR AT LEAST TWO YEARS AFTER THE DATE OF THE CUSTOMER'S
38 LAST USE OF THE TANNING DEVICE. THE RECORD SHALL INCLUDE:

39 1. THE NAME AND AGE OF THE CUSTOMER.

40 2. THE DATE AND TIME OF THE CUSTOMER'S USE OF THE TANNING DEVICE.

41 3. THE LENGTH OF TIME THE CUSTOMER USED THE TANNING DEVICE.

42 4. IF KNOWN, ANY INJURY OR ILLNESS THAT RESULTS FROM THE CUSTOMER'S
43 USE OF THE TANNING DEVICE.

1 36-799.03. Advertising and promotional materials
2 A TANNING FACILITY MAY NOT ADVERTISE OR DISTRIBUTE PROMOTIONAL
3 MATERIALS THAT CLAIM THAT USING A TANNING DEVICE IS SAFE OR FREE FROM RISK
4 OR WILL RESULT IN A MEDICAL OR HEALTH BENEFIT.
5 Sec. 2. Short title
6 This act shall be known as the "Skin Cancer Preventive Act of 2018".